REMARKS

Claims 1-10 are pending in the application. Claims 1 and 8-10 were amended to more particularly points out and distinctly claims the present invention. No new matter was added. All of the language in new claims 1-10 is explicitly or inherently supported by the original specification. Support for the amendments is found, for example, on paragraphs [0028] and [0062] of the present specification. For at least the reasons set forth below, withdrawal of all outstanding rejections is respectfully requested.

Supplemental Information Disclosure Statement (IDS)

Formal consideration of the supplemental IDS filed on August 11, 2006 and the concurrently filed supplemental IDS (originally filed on June 26, 2006) is requested.

Prior Art Rejections

Claims 1 and 8-10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,028,826 (Yamamoto) in view of U.S. Patent No. 5,602,823 (Aoki).

Withdrawal of these rejections is respectfully requested for at least the following reasons.

1. Patentability of claims 1 and 8-10 over Yamamoto in view of Aoki

Claims 1 and 10, as amended, each recite, *inter alia*:

> ... a filter, which receives the read signals and which outputs multiple processed signals with one of frequency components of the read signals attenuated, the frequency component to be attenuated being determined by the lengths of the marks which are formed on a track; ...
> (underlining added for emphasis)

Claims 8 and 9, as amended, each recite, *inter alia*:

> ... receiving the read signals and outputting multiple processed signals with one of frequency components of the read signals attenuated, the frequency component to be attenuated being determined by the lengths of the marks which are formed on a track; ...

It is not desirable to base the generation of the phase difference tracking error (TE) on frequency components with small amplitudes because detection errors can result. Therefore, the present invention identifies a frequency component with a small amplitude by the length of the marks which are formed on a track, and then it attenuates that frequency component. Then, the TE signal can be generated based on frequency components with larger amplitudes.

Yamamoto fails to teach a filter which receives the read signals and which outputs multiple processed signals with one of frequency components of the read signals attenuated, the frequency component to be attenuated being determined by the lengths of the marks which are formed on a track. Modifying Yamamoto by Aoki, as suggested by the Examiner, does not compensate for the deficiencies of Yamamoto.

Aoki discloses using relationships of the lengths of the marks formed in each ID section of the adjacent land and adjacent groove portions (column 17, lines 44-67). By comparing the length of the mark in the land portion to the length of the mark in the groove portion, Aoki discloses a method of reducing crosstalk from the groove portion during the tracking of the land portion. The reason for reducing crosstalk from the ID section of an adjacent groove portion is that the frequency band in crosstalk from the ID section of the adjacent groove portion is approximately equal to a frequency band of a detecting signal from the ID section of the tracking land portion, so that it is difficult to remove the crosstalk from the detecting signal (column 17, lines 52-57). Therefore, the mark lengths should be adapted so that the crosstalk is removed from that frequency component.

In Aoki, the frequency component which is removed is due to the mark(s) in the adjacent groove portion or the adjacent land portion. The frequency component is not determined by the lengths of the marks which are formed on a track. See Figs. 11 and 12 of Aoki.

The present invention relates to a technique to attenuate a frequency component with a relatively small amplitude caused by a relatively small mark on a track, not to reduce the frequency component of the crosstalk, as is disclosed in Aoki.

For the above reasons, Applicants respectfully submit that claims 1 and 10 are not obvious in view of the combination of Yamamoto and Aoki. Accordingly, Applicants respectfully request that the rejection of independent claims 1 and 10 under 35 U.S.C. § 103(a) be withdrawn.

Amended claims 8 and 9 recite substantially the same feature as claims 1 and 10. Thus, the above argument are equally applicable to claims 8 and 9.

2. Patentability of dependent claims

The dependent claims are believed to be patentable over the applied references for at least the reason that they are dependent upon allowable base claims and because they recite additional patentable elements and steps.

Conclusion

Insofar as the Examiner's rejections were fully addressed, the instant application is in condition for allowance. Issuance of a Notice of Allowability of all pending claims is therefore earnestly solicited.

Respectfully submitted,

Kenji KONDO, et al

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(Date)

CLARK A. JABLON
Registration No. 35,039
AKIN GUMP STRAUSS HAUER & FELD LLP
One Commerce Square
2005 Market Street - Suite 2200
Philadelphia, PA 19103-7086
Telephone: (215) 965-1200
Direct Dial: (215) 965-1293
Facsimile: (215) 965-1210
E-Mail: cjablon@akingump.com

CAJ:ALL:gem